

EXHIBIT 4

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6 Attorneys for Non-Party
THELEN REID BROWN RAYSMAN & STEINER LLP

7
8 UNITED STATES DISTRICT COURT
9 FOR THE CENTRAL DISTRICT OF CALIFORNIA
10

11 ANGELES CHEMICAL COMPANY, INC., a
California corporation, etc., et al.,

12
13 Plaintiffs,

14 v.

15 MCKESSON CORPORATION, a California
corporation, etc., et al.

16
17 Defendants.
18
19
20
21
22

Case No.: 01-10532 TJH (Ex)

Central District of California

**OBJECTIONS OF NON-PARTY
THELEN REID BROWN RAYSMAN &
STEINER LLP TO ANGELES
CHEMICAL COMPANY, INC.'S
SUBPOENA REQUESTING
PRODUCTION OF DOCUMENTS
PURSUANT TO FRCP 45**

Place: 101 Second Street, Suite 1800, San
Francisco, CA 94105
Date: June 11, 2007
Time: 9:30 a.m.

21 AND RELATED CROSS ACTION.
22

23 Pursuant to Federal Rule of Civil Procedure 45, non-party Thelen Reid Brown Raysman &
24 Steiner LLP ("Thelen") submits these responses and objections to the subpoena of plaintiff and
25 cross-defendant Angeles Chemical Company, Inc. ("Angeles") dated May 14, 2007, issued by
26 Caufield & James, LLP and served on Thelen's San Francisco office on May 14, 2007 (the
27 "Subpoena") in the above-referenced matter.

28 ///

GENERAL OBJECTIONS

1
2 1. Thelen objects to the Subpoena to the extent it seeks documents protected by the
3 attorney-client privilege, work product doctrine, deliberative process privilege, the joint
4 prosecution or similar privilege, the privilege for negotiations leading to settlement, or other
5 applicable privileges under California law or any other applicable law.

6 2. Thelen objects to the Subpoena to the extent that it imposes an undue burden on
7 Thelen by seeking documents that are neither relevant nor reasonably calculated to lead to the
8 discovery of admissible evidence, seeking an unreasonably large volume of documents, or seeking
9 documents that are equally available to the requesting party.

10 3. Thelen objects to the Subpoena on the grounds that Angeles' "DEFINITIONS" and
11 "INSTRUCTIONS," as set forth in Attachment "A" are argumentative, vague, ambiguous, and
12 unintelligible.

13 4. Thelen objects to the Subpoena on the grounds that it does not allow a reasonable
14 time period for compliance.

15 5. No incidental or implied admissions are intended by these objections. The fact that
16 Thelen objects to any request should not be taken as an admission that Thelen accepts or admits
17 the existence of any facts assumed by such request, or that such objection constitutes admissible
18 evidence as to any such assumed facts.

SPECIFIC OBJECTIONS

19
20 Without waiving or departing from its General Objections, and specifically incorporating
21 the General Objections into each of the specific objections below, Thelen makes the following
22 additional objections to specific paragraphs set forth in Attachment "A" of the Subpoena:

REQUEST FOR PRODUCTION A):

24 All DOCUMENTS that REFER OR RELATE to MCKESSON CHEMICAL.

OBJECTIONS TO REQUEST FOR PRODUCTION A):

26 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
27 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
28 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents

1 containing McKesson Corporation's ("McKesson") trade secrets and proprietary information. In
2 addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-
3 parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents
4 protected by the attorney-client privilege, attorney work product doctrine, and any other applicable
5 privilege.

6 **REQUEST FOR PRODUCTION B):**

7 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of an
8 HAZARDOUS SUBSTANCE.

9 **OBJECTIONS TO REQUEST FOR PRODUCTION B):**

10 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
11 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
12 admissible evidence. Thelen also objects to the phrase "HAZARDOUS SUBSTANCE" on the
13 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
14 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
15 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
16 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
17 by the attorney-client privilege, attorney work product doctrine, and any other applicable
18 privilege.

19 **REQUEST FOR PRODUCTION C):**

20 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of
21 any HAZARDOUS WASTE.

22 **OBJECTIONS TO REQUEST FOR PRODUCTION C):**

23 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
24 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
25 admissible evidence. Thelen also objects to the phrase "HAZARDOUS WASTE" on the grounds
26 that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks
27 documents containing McKesson's trade secrets and proprietary information. In addition, Thelen
28 objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the

1 litigation. Thelen also objects to this Request to the extent that it seeks documents protected by
2 the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

3 **REQUEST FOR PRODUCTION D):**

4 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of
5 any SOLID WASTE.

6 **OBJECTIONS TO REQUEST FOR PRODUCTION D):**

7 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
8 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
9 admissible evidence. Thelen also objects to the phrase "SOLID WASTE" on the grounds that it is
10 vague and ambiguous. Thelen further objects to this Request to the extent that it seeks documents
11 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
12 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.
13 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
14 client privilege, attorney work product doctrine, and any other applicable privilege.

15 **REQUEST FOR PRODUCTION E):**

16 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of
17 any CHLORINATED SOLVENTS.

18 **OBJECTIONS TO REQUEST FOR PRODUCTION E):**

19 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
20 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
21 admissible evidence. Thelen also objects to the phrase "CHLORINATED SOLVENTS" on the
22 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
23 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
24 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
25 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
26 by the attorney-client privilege, attorney work product doctrine, and any other applicable
27 privilege.

28 ///

1 **REQUEST FOR PRODUCTION F):**

2 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
3 any HAZARDOUS SUBSTANCE.

4 **OBJECTIONS TO REQUEST FOR PRODUCTION F):**

5 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
6 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
7 admissible evidence. Thelen also objects to the phrase "HAZARDOUS SUBSTANCE" on the
8 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
9 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
10 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
11 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
12 by the attorney-client privilege, attorney work product doctrine, and any other applicable
13 privilege.

14 **REQUEST FOR PRODUCTION G):**

15 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
16 any HAZARDOUS WASTE.

17 **OBJECTIONS TO REQUEST FOR PRODUCTION G):**

18 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
19 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
20 admissible evidence. Thelen also objects to the phrase "HAZARDOUS WASTE" on the grounds
21 that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks
22 documents containing McKesson's trade secrets and proprietary information. In addition, Thelen
23 objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the
24 litigation. Thelen also objects to this Request to the extent that it seeks documents protected by
25 the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

26 **REQUEST FOR PRODUCTION H):**

27 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
28 any SOLID WASTE.

OBJECTIONS TO REQUEST FOR PRODUCTION H):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen also objects to the phrase "SOLID WASTE" on the grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

REQUEST FOR PRODUCTION I):

ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of any CHLORINATED SOLVENTS.

OBJECTIONS TO REQUEST FOR PRODUCTION I):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen also objects to the phrase "CHLORINATED SOLVENTS" on the grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

REQUEST FOR PRODUCTION J):

ALL DOCUMENTS that REFER TO RELATE to the storage, retention, destruction, or transfer of DOCUMENTS of MCKESSON CHEMICAL between 1986 and 2005.

OBJECTIONS TO REQUEST FOR PRODUCTION J):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of

1 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents
2 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
3 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.
4 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
5 client privilege, attorney work product doctrine, and any other applicable privilege.

6 **REQUEST FOR PRODUCTION K):**

7 ALL DOCUMENTS that REFER TO RELATE to any discussion, convention, or
8 CORRESPONDENCE with any PERSON regarding the MCKESSON SITE or the above-entitled
9 action.

10 **OBJECTIONS TO REQUEST FOR PRODUCTION K):**

11 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
12 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
13 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents
14 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
15 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.
16 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
17 client privilege, attorney work product doctrine, and any other applicable privilege.

18 Dated: May 29 2007

THELEN REID BROWN RAYSMAN & STEINER LLP

19
20 By: 

Jennifer A. Kuenster

Ross M. Petty

Attorneys for Non-Party

THELEN REID BROWN RAYSMAN &
STEINER LLP

CERTIFICATE OF SERVICE BY FACSIMILE

CASE NO. 01-10532 TJH (Ex)

I am over the age of 18 and not a party to the within action. I am employed in the County of San Francisco, State of California by Thelen Reid Brown Raysman & Steiner LLP. My business address is 101 Second Street, Suite 1800, San Francisco, California 94105.

On May 29, 2007, at the time and from the telephone facsimile number indicated on the attached transmission report, the following entitled document:

**OBJECTIONS OF NON-PARTY THELEN REID BROWN
RAYSMAN & STEINER LLP TO ANGELES CHEMICAL
COMPANY, INC.'S SUBPOENA REQUESTING
PRODUCTION OF DOCUMENTS PURSUANT TO FRCP 45**

was served by transmitting true and correct copies thereof via facsimile to the following:

SEE ATTACHED SERVICE LIST

I am readily familiar with the practices of Thelen Reid Brown Raysman & Steiner LLP for sending documents via facsimile. On the above stated date, the above listed document was transmitted via facsimile and said transmission was reported complete and without error. A copy of the transmission report showing the date and time of transmission that was properly issued by the transmitting facsimile machine is attached hereto, and incorporated herein by reference.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 29, 2007, at San Francisco, California.


Signature

Brenda Joyce

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JOHN LOCKE]

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20 BERG, PEARL ROSENTHAL and THE
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RAYSMAN & STEINER LLP
ATTORNEYS AT LAW

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F A X C O V E R P A G E

Date: June 15, 2007

Total Pages: 15
(including cover)

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VIA FAX ONLY

In case of a problem with this transmission, please call the **Fax Operator at 415.369.7159**

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	42133	801515/000323		

IMPORTANT: This fax transmission is intended only for the addressee. It contains information from the law firm of **Thelen Reid Brown Raysman & Steiner LLP** which may be privileged, confidential and exempt from disclosure under applicable law. Dissemination, distribution, or copying of this by anyone other than the addressee or the addressee's agent is strictly prohibited. If this transmission is received in error, please notify Thelen Reid Brown Raysman & Steiner LLP immediately at the telephone number indicated above. We will reimburse your costs incurred in connection with this erroneous transmission and your return of these materials. THANK YOU.

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18 **tcronin@crolaw.com**
19 [Attorneys for DONNA and ROBERT
20 BERG, PEARL ROSENTHAL and THE
21 ESTATE OF ARNOLD ROSENTHAL]
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Attorneys for Non-Party
THELEN REID BROWN RAYSMAN & STEINER LLP

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

ANGELES CHEMICAL COMPANY, INC., a
California corporation, etc., et al.,

Plaintiffs,

v.

MCKESSON CORPORATION, a California
corporation, etc., et al.

Defendants.

Case No.: 01-10532 TJH (Ex)

Central District of California

**OBJECTIONS OF NON-PARTY
THELEN REID BROWN RAYSMAN &
STEINER LLP TO ANGELES
CHEMICAL COMPANY, INC.'S
AMENDED SUBPOENA REQUESTING
PRODUCTION OF DOCUMENTS
PURSUANT TO FRCP 45**

Place: 101 Second Street, Suite 1800, San
Francisco, California 94105

Date: June 15, 2007

Time: 9:30 a.m.

AND RELATED CROSS ACTION.

Pursuant to Federal Rule of Civil Procedure 45, non-party Thelen Reid Brown Raysman & Steiner LLP ("Thelen") submits these objections to the amended subpoena of plaintiff and cross-defendant Angeles Chemical Company, Inc. ("Angeles") dated June 1, 2007, issued by Caufield & James, LLP and electronically served on Thelen's San Francisco office on June 4, 2007 (the "Subpoena") in the above-referenced matter.

///

GENERAL OBJECTIONS

1
2 1. Thelen objects to the Subpoena to the extent it seeks documents protected by the
3 attorney-client privilege, work product doctrine, deliberative process privilege, the joint
4 prosecution or similar privilege, the privilege for negotiations leading to settlement, or other
5 applicable privileges under California law or any other applicable law.

6 2. Thelen objects to the Subpoena on the grounds that it is untimely as discovery
7 closed in this matter on June 11, 2007.

8 3. Thelen objects to the Subpoena to the extent that it imposes an undue burden on
9 Thelen by seeking documents that are neither relevant nor reasonably calculated to lead to the
10 discovery of admissible evidence, seeking an unreasonably large volume of documents, or seeking
11 documents that are equally available to the requesting party.

12 4. Thelen objects to the Subpoena on the grounds that Angeles' "DEFINITIONS" and
13 "INSTRUCTIONS," as set forth in Attachment "A" are argumentative, vague, ambiguous, and
14 unintelligible.

15 5. Thelen objects to the Subpoena on the grounds that it does not allow a reasonable
16 time period for compliance.

17 6. No incidental or implied admissions are intended by these objections. The fact that
18 Thelen objects to any request should not be taken as an admission that Thelen accepts or admits
19 the existence of any facts assumed by such request, or that such objection constitutes admissible
20 evidence as to any such assumed facts.

SPECIFIC OBJECTIONS

21
22 Without waiving or departing from its General Objections, and specifically incorporating
23 the General Objections into each of the specific objections below, Thelen makes the following
24 additional objections to specific paragraphs set forth in Attachment "A" of the Subpoena:

REQUEST FOR PRODUCTION A):

25
26 All DOCUMENTS that REFER OR RELATE to MCKESSON CHEMICAL.

OBJECTIONS TO REQUEST FOR PRODUCTION A):

27
28 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,

1 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
2 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents
3 containing McKesson Corporation's ("McKesson") trade secrets and proprietary information. In
4 addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-
5 parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents
6 protected by the attorney-client privilege, attorney work product doctrine, and any other applicable
7 privilege.

8 **REQUEST FOR PRODUCTION B):**

9 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of
10 any HAZARDOUS SUBSTANCE.

11 **OBJECTIONS TO REQUEST FOR PRODUCTION B):**

12 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
13 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
14 admissible evidence. Thelen also objects to the phrase "HAZARDOUS SUBSTANCE" on the
15 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
16 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
17 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
18 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
19 by the attorney-client privilege, attorney work product doctrine, and any other applicable
20 privilege.

21 **REQUEST FOR PRODUCTION C):**

22 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of
23 any HAZARDOUS WASTE.

24 **OBJECTIONS TO REQUEST FOR PRODUCTION C):**

25 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
26 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
27 admissible evidence. Thelen also objects to the phrase "HAZARDOUS WASTE" on the grounds
28 that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks

documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

REQUEST FOR PRODUCTION D):

ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of any SOLID WASTE.

OBJECTIONS TO REQUEST FOR PRODUCTION D):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen also objects to the phrase "SOLID WASTE" on the grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

REQUEST FOR PRODUCTION E):

ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of any CHLORINATED SOLVENTS.

OBJECTIONS TO REQUEST FOR PRODUCTION E):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen also objects to the phrase "CHLORINATED SOLVENTS" on the grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable

1 privilege.

2 **REQUEST FOR PRODUCTION F):**

3 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
4 any HAZARDOUS SUBSTANCE.

5 **OBJECTIONS TO REQUEST FOR PRODUCTION F):**

6 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
7 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
8 admissible evidence. Thelen also objects to the phrase "HAZARDOUS SUBSTANCE" on the
9 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
10 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
11 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
12 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
13 by the attorney-client privilege, attorney work product doctrine, and any other applicable
14 privilege.

15 **REQUEST FOR PRODUCTION G):**

16 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
17 any HAZARDOUS WASTE.

18 **OBJECTIONS TO REQUEST FOR PRODUCTION G):**

19 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
20 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
21 admissible evidence. Thelen also objects to the phrase "HAZARDOUS WASTE" on the grounds
22 that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks
23 documents containing McKesson's trade secrets and proprietary information. In addition, Thelen
24 objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the
25 litigation. Thelen also objects to this Request to the extent that it seeks documents protected by
26 the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

27 ///

28 ///

1 **REQUEST FOR PRODUCTION H):**

2 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
3 any SOLID WASTE.

4 **OBJECTIONS TO REQUEST FOR PRODUCTION H):**

5 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
6 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
7 admissible evidence. Thelen also objects to the phrase "SOLID WASTE" on the grounds that it is
8 vague and ambiguous. Thelen further objects to this Request to the extent that it seeks documents
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10 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.
11 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
12 client privilege, attorney work product doctrine, and any other applicable privilege.

13 **REQUEST FOR PRODUCTION I):**

14 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
15 any CHLORINATED SOLVENTS.

16 **OBJECTIONS TO REQUEST FOR PRODUCTION I):**

17 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
18 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
19 admissible evidence. Thelen also objects to the phrase "CHLORINATED SOLVENTS" on the
20 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
21 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
22 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
23 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
24 by the attorney-client privilege, attorney work product doctrine, and any other applicable
25 privilege.

26 ///

27 ///

28 ///

1 **REQUEST FOR PRODUCTION J):**

2 ALL DOCUMENTS that REFER TO RELATE to the storage, retention, destruction, or
3 transfer of DOCUMENTS of MCKESSON CHEMICAL between 1986 and 2005.

4 **OBJECTIONS TO REQUEST FOR PRODUCTION J):**

5 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
6 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
7 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents
8 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
9 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.

10 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
11 client privilege, attorney work product doctrine, and any other applicable privilege.

12 **REQUEST FOR PRODUCTION K):**

13 ALL DOCUMENTS that REFER TO RELATE to any discussion, convention, or
14 CORRESPONDENCE with any PERSON regarding the MCKESSON SITE or the above-entitled
15 action.

16 **OBJECTIONS TO REQUEST FOR PRODUCTION K):**

17 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
18 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
19 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents
20 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
21 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.

22 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
23 client privilege, attorney work product doctrine, and any other applicable privilege.

24 **REQUEST FOR PRODUCTION L):**

25 ALL DOCUMENTS that REFER TO RELATE to any discussion, conversation, or
26 CORRESPONDENCE with UNIVAR regarding the MCKESSON SITE or the above-entitled
27 action.

28 ///

OBJECTIONS TO REQUEST FOR PRODUCTION L):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

REQUEST FOR PRODUCTION M):

ALL DOCUMENTS that REFER TO RELATE to any discussion, conversation, or CORRESPONDENCE with UNIVAR regarding the transmittal of ALL DOCUMENTS that relate to MCKESSON CHEMICAL.

OBJECTIONS TO REQUEST FOR PRODUCTION M):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

REQUEST FOR PRODUCTION N):

ALL DOCUMENTS that REFER TO RELATE to any discussion, conversation, or CORRESPONDENCE with UNIVAR regarding the transmittal of ALL DOCUMENTS relate to the MCKESSON SITE.

OBJECTIONS TO REQUEST FOR PRODUCTION N):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen further objects to this Request to the extent that it seeks documents

1 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
2 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.
3 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
4 client privilege, attorney work product doctrine, and any other applicable privilege.

5 Dated: 6/15, 2007

THELEN REID BROWN RAYSMAN & STEINER LLP

6
7 By: 

Jennifer A. Kuenster

Ross M. Petty

Attorneys for Non-Party

THELEN REID BROWN RAYSMAN &
STEINER LLP

CERTIFICATE OF SERVICE BY FACSIMILE

CASE NO. 01-10532 TJH (Ex)

I am over the age of 18 and not a party to the within action. I am employed in the County of San Francisco, State of California by Thelen Reid Brown Raysman & Steiner LLP. My business address is 101 Second Street, Suite 1800, San Francisco, California 94105.

On June 15, 2007, at the time and from the telephone facsimile number indicated on the attached transmission report, the following entitled document:

**OBJECTIONS OF NON-PARTY THELEN REID BROWN
RAYSMAN & STEINER LLP TO ANGELES CHEMICAL
COMPANY, INC.'S AMENDED SUBPOENA REQUESTING
PRODUCTION OF DOCUMENTS PURSUANT TO FRCP 45**

was served by transmitting true and correct copies thereof via facsimile to the following:

SEE ATTACHED SERVICE LIST

I am readily familiar with the practices of Thelen Reid Brown Raysman & Steiner LLP for sending documents via facsimile. On the above stated date, the above listed document was transmitted via facsimile and said transmission was reported complete and without error. A copy of the transmission report showing the date and time of transmission that was properly issued by the transmitting facsimile machine is attached hereto, and incorporated herein by reference.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 15, 2007, at San Francisco, California.

Signature

SERVICE LIST

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INC., ANGELES CHEMICAL COMPANY, INC. and
JOHN LOCKE]

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21 ESTATE OF ARNOLD ROSENTHAL]

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Attorneys for Non-Party
THELEN REID BROWN RAYSMAN & STEINER LLP

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

ANGELES CHEMICAL COMPANY, INC., a
California corporation, etc., et al.,

Plaintiffs,

v.

MCKESSON CORPORATION, a California
corporation, etc., et al.

Defendants.

Case No.: 01-10532 TJH (Ex)

Central District of California

**OBJECTIONS OF NON-PARTY
THELEN REID BROWN RAYSMAN &
STEINER LLP TO ANGELES
CHEMICAL COMPANY, INC.'S
SUBPOENA REQUESTING
PRODUCTION OF DOCUMENTS
PURSUANT TO FRCP 45**

Place: 225 West Santa Clara Street, Suite
1200, San Jose, CA 95113

Date: June 11, 2007

Time: 9:30 a.m.

AND RELATED CROSS ACTION.

Pursuant to Federal Rule of Civil Procedure 45, non-party Thelen Reid Brown Raysman & Steiner LLP ("Thelen") submits these objections to the subpoena of plaintiff and cross-defendant Angeles Chemical Company, Inc. ("Angeles") dated May 15, 2007, issued by Caufield & James, LLP and served on Thelen's San Jose office on May 15, 2007 (the "Subpoena") in the above-referenced matter.

///

GENERAL OBJECTIONS

1
2 1. Thelen objects to the Subpoena to the extent it seeks documents protected by the
3 attorney-client privilege, work product doctrine, deliberative process privilege, the joint
4 prosecution or similar privilege, the privilege for negotiations leading to settlement, or other
5 applicable privileges under California law or any other applicable law.

6 2. Thelen objects to the Subpoena to the extent that it imposes an undue burden on
7 Thelen by seeking documents that are neither relevant nor reasonably calculated to lead to the
8 discovery of admissible evidence, seeking an unreasonably large volume of documents, or seeking
9 documents that are equally available to the requesting party.

10 3. Thelen objects to the Subpoena on the grounds that Angeles' "DEFINITIONS" and
11 "INSTRUCTIONS," as set forth in Attachment "A" are argumentative, vague, ambiguous, and
12 unintelligible.

13 4. Thelen objects to the Subpoena on the grounds that it does not allow a reasonable
14 time period for compliance.

15 5. No incidental or implied admissions are intended by these objections. The fact that
16 Thelen objects to any request should not be taken as an admission that Thelen accepts or admits
17 the existence of any facts assumed by such request, or that such objection constitutes admissible
18 evidence as to any such assumed facts.

SPECIFIC OBJECTIONS

19
20 Without waiving or departing from its General Objections, and specifically incorporating
21 the General Objections into each of the specific objections below, Thelen makes the following
22 additional objections to specific paragraphs set forth in Attachment "A" of the Subpoena:

REQUEST FOR PRODUCTION A):

24 All DOCUMENTS that REFER OR RELATE to MCKESSON CHEMICAL.

OBJECTIONS TO REQUEST FOR PRODUCTION A):

26 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
27 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
28 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents

1 containing McKesson Corporation's ("McKesson") trade secrets and proprietary information. In
2 addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-
3 parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents
4 protected by the attorney-client privilege, attorney work product doctrine, and any other applicable
5 privilege.

6 **REQUEST FOR PRODUCTION B):**

7 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of an
8 HAZARDOUS SUBSTANCE.

9 **OBJECTIONS TO REQUEST FOR PRODUCTION B):**

10 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
11 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
12 admissible evidence. Thelen also objects to the phrase "HAZARDOUS SUBSTANCE" on the
13 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
14 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
15 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
16 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
17 by the attorney-client privilege, attorney work product doctrine, and any other applicable
18 privilege.

19 **REQUEST FOR PRODUCTION C):**

20 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of
21 any HAZARDOUS WASTE.

22 **OBJECTIONS TO REQUEST FOR PRODUCTION C):**

23 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
24 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
25 admissible evidence. Thelen also objects to the phrase "HAZARDOUS WASTE" on the grounds
26 that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks
27 documents containing McKesson's trade secrets and proprietary information. In addition, Thelen
28 objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the

1 litigation. Thelen also objects to this Request to the extent that it seeks documents protected by
2 the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

3 **REQUEST FOR PRODUCTION D):**

4 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of
5 any SOLID WASTE.

6 **OBJECTIONS TO REQUEST FOR PRODUCTION D):**

7 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
8 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
9 admissible evidence. Thelen also objects to the phrase "SOLID WASTE" on the grounds that it is
10 vague and ambiguous. Thelen further objects to this Request to the extent that it seeks documents
11 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
12 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.
13 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
14 client privilege, attorney work product doctrine, and any other applicable privilege.

15 **REQUEST FOR PRODUCTION E):**

16 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of
17 any CHLORINATED SOLVENTS.

18 **OBJECTIONS TO REQUEST FOR PRODUCTION E):**

19 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
20 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
21 admissible evidence. Thelen also objects to the phrase "CHLORINATED SOLVENTS" on the
22 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
23 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
24 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
25 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
26 by the attorney-client privilege, attorney work product doctrine, and any other applicable
27 privilege.

28 ///

1 **REQUEST FOR PRODUCTION F):**

2 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
3 any HAZARDOUS SUBSTANCE.

4 **OBJECTIONS TO REQUEST FOR PRODUCTION F):**

5 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
6 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
7 admissible evidence. Thelen also objects to the phrase "HAZARDOUS SUBSTANCE" on the
8 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
9 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
10 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
11 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
12 by the attorney-client privilege, attorney work product doctrine, and any other applicable
13 privilege.

14 **REQUEST FOR PRODUCTION G):**

15 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
16 any HAZARDOUS WASTE.

17 **OBJECTIONS TO REQUEST FOR PRODUCTION G):**

18 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
19 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
20 admissible evidence. Thelen also objects to the phrase "HAZARDOUS WASTE" on the grounds
21 that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks
22 documents containing McKesson's trade secrets and proprietary information. In addition, Thelen
23 objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the
24 litigation. Thelen also objects to this Request to the extent that it seeks documents protected by
25 the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

26 ///

27 ///

28 ///

REQUEST FOR PRODUCTION H):

ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of any SOLID WASTE.

OBJECTIONS TO REQUEST FOR PRODUCTION H):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen also objects to the phrase "SOLID WASTE" on the grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

REQUEST FOR PRODUCTION I):

ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of any CHLORINATED SOLVENTS.

OBJECTIONS TO REQUEST FOR PRODUCTION I):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen also objects to the phrase "CHLORINATED SOLVENTS" on the grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

///

///

///

1 **REQUEST FOR PRODUCTION J):**

2 ALL DOCUMENTS that REFER TO RELATE to the storage, retention, destruction, or
3 transfer of DOCUMENTS of MCKESSON CHEMICAL between 1986 and 2005.

4 **OBJECTIONS TO REQUEST FOR PRODUCTION J):**

5 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
6 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
7 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents
8 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
9 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.

10 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
11 client privilege, attorney work product doctrine, and any other applicable privilege.

12 **REQUEST FOR PRODUCTION K):**

13 ALL DOCUMENTS that REFER TO RELATE to any discussion, convention, or
14 CORRESPONDENCE with any PERSON regarding the MCKESSON SITE or the above-entitled
15 action.

16 **OBJECTIONS TO REQUEST FOR PRODUCTION K):**

17 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
18 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
19 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents
20 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
21 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.

22 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
23 client privilege, attorney work product doctrine, and any other applicable privilege.

24 **REQUEST FOR PRODUCTION L):**

25 ALL DOCUMENTS that REFER TO RELATE to any discussion, conversation, or
26 CORRESPONDENCE with UNIVAR regarding the MCKESSON SITE or the above-entitled
27 action.

28 ///

OBJECTIONS TO REQUEST FOR PRODUCTION L):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

REQUEST FOR PRODUCTION M):

ALL DOCUMENTS that REFER TO RELATE to any discussion, conversation, or CORRESPONDENCE with UNIVAR regarding the transmittal of ALL DOCUMENTS that relate to MCKESSON CHEMICAL.

OBJECTIONS TO REQUEST FOR PRODUCTION M):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

REQUEST FOR PRODUCTION N):

ALL DOCUMENTS that REFER TO RELATE to any discussion, conversation, or CORRESPONDENCE with UNIVAR regarding the transmittal of ALL DOCUMENTS relate to the MCKESSON SITE.

OBJECTIONS TO REQUEST FOR PRODUCTION N):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen further objects to this Request to the extent that it seeks documents

1 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
2 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.
3 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
4 client privilege, attorney work product doctrine, and any other applicable privilege.

5 Dated: May 28 2007

THELEN REID BROWN RAYSMAN & STEINER LLP

6
7 By: 

Jennifer A. Kuenster

Ross M. Petty

Attorneys for Non-Party

THELEN REID BROWN RAYSMAN &
STEINER LLP

CERTIFICATE OF SERVICE BY FACSIMILE

CASE NO. 01-10532 TJH (Ex)

I am over the age of 18 and not a party to the within action. I am employed in the County of San Francisco, State of California by Thelen Reid Brown Raysman & Steiner LLP. My business address is 101 Second Street, Suite 1800, San Francisco, California 94105.

On May 29, 2007, at the time and from the telephone facsimile number indicated on the attached transmission report, the following entitled document:

**OBJECTIONS OF NON-PARTY THELEN REID BROWN
RAYSMAN & STEINER LLP TO ANGELES CHEMICAL
COMPANY, INC.'S SUBPOENA REQUESTING
PRODUCTION OF DOCUMENTS PURSUANT TO FRCP 45**

was served by transmitting true and correct copies thereof via facsimile to the following:

SEE ATTACHED SERVICE LIST

I am readily familiar with the practices of Thelen Reid Brown Raysman & Steiner LLP for sending documents via facsimile. On the above stated date, the above listed document was transmitted via facsimile and said transmission was reported complete and without error. A copy of the transmission report showing the date and time of transmission that was properly issued by the transmitting facsimile machine is attached hereto, and incorporated herein by reference.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 29, 2007, at San Francisco, California.


Signature

Brenda Joyce

SERVICE LIST

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JOHN LOCKE]

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6 Fax: (213) 680-6499
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[Attorneys for McKESSON CORPORATION,
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and THE ESTATE OF PAUL MASLIN]

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[Attorneys for DONNA and ROBERT
BERG, PEARL ROSENTHAL and THE
ESTATE OF ARNOLD ROSENTHAL]

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9 Attorneys for Non-Party
10 THELEN REID BROWN RAYSMAN & STEINER LLP

11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
13

14 ANGELES CHEMICAL COMPANY, INC., a
15 California corporation, etc., et al.,

16 Plaintiffs,

17 v.

18 MCKESSON CORPORATION, a California
19 corporation, etc., et al.

20 Defendants.

Case No.: 01-10532 TJH (Ex)

Central District of California

**OBJECTIONS OF NON-PARTY
THELEN REID BROWN RAYSMAN &
STEINER LLP TO ANGELES
CHEMICAL COMPANY, INC.'S
SUBPOENA REQUESTING
PRODUCTION OF DOCUMENTS
PURSUANT TO FRCP 45**

Place: 2225 E. Bayshore Road, Suite 210, Palo
Alto, CA 94303

Date: June 11, 2007

Time: 9:30 a.m.

21 AND RELATED CROSS ACTION.
22

23 Pursuant to Federal Rule of Civil Procedure 45, non-party Thelen Reid Brown Raysman &
24 Steiner LLP ("Thelen") submits these objections to the subpoena of plaintiff and cross-defendant
25 Angeles Chemical Company, Inc. ("Angeles") dated May 15, 2007, issued by Caufield & James,
26 LLP and served on Thelen's Palo Alto office on May 15, 2007 (the "Subpoena") in the above-
27 referenced matter.

28 ///

GENERAL OBJECTIONS

1
2 1. Thelen objects to the Subpoena to the extent it seeks documents protected by the
3 attorney-client privilege, work product doctrine, deliberative process privilege, the joint
4 prosecution or similar privilege, the privilege for negotiations leading to settlement, or other
5 applicable privileges under California law or any other applicable law.

6 2. Thelen objects to the Subpoena to the extent that it imposes an undue burden on
7 Thelen by seeking documents that are neither relevant nor reasonably calculated to lead to the
8 discovery of admissible evidence, seeking an unreasonably large volume of documents, or seeking
9 documents that are equally available to the requesting party.

10 3. Thelen objects to the Subpoena on the grounds that Angeles' "DEFINITIONS" and
11 "INSTRUCTIONS," as set forth in Attachment "A" are argumentative, vague, ambiguous, and
12 unintelligible.

13 4. Thelen objects to the Subpoena on the grounds that it does not allow a reasonable
14 time period for compliance.

15 5. No incidental or implied admissions are intended by these objections. The fact that
16 Thelen objects to any request should not be taken as an admission that Thelen accepts or admits
17 the existence of any facts assumed by such request, or that such objection constitutes admissible
18 evidence as to any such assumed facts.

SPECIFIC OBJECTIONS

19
20 Without waiving or departing from its General Objections, and specifically incorporating
21 the General Objections into each of the specific objections below, Thelen makes the following
22 additional objections to specific paragraphs set forth in Attachment "A" of the Subpoena:

REQUEST FOR PRODUCTION A):

24 All DOCUMENTS that REFER OR RELATE to MCKESSON CHEMICAL.

OBJECTIONS TO REQUEST FOR PRODUCTION A):

26 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
27 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
28 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents

1 containing McKesson Corporation's ("McKesson") trade secrets and proprietary information. In
2 addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-
3 parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents
4 protected by the attorney-client privilege, attorney work product doctrine, and any other applicable
5 privilege.

6 **REQUEST FOR PRODUCTION B):**

7 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of an
8 HAZARDOUS SUBSTANCE.

9 **OBJECTIONS TO REQUEST FOR PRODUCTION B):**

10 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
11 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
12 admissible evidence. Thelen also objects to the phrase "HAZARDOUS SUBSTANCE" on the
13 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
14 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
15 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
16 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
17 by the attorney-client privilege, attorney work product doctrine, and any other applicable
18 privilege.

19 **REQUEST FOR PRODUCTION C):**

20 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of
21 any HAZARDOUS WASTE.

22 **OBJECTIONS TO REQUEST FOR PRODUCTION C):**

23 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
24 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
25 admissible evidence. Thelen also objects to the phrase "HAZARDOUS WASTE" on the grounds
26 that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks
27 documents containing McKesson's trade secrets and proprietary information. In addition, Thelen
28 objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the

1 litigation. Thelen also objects to this Request to the extent that it seeks documents protected by
2 the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

3 **REQUEST FOR PRODUCTION D):**

4 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of
5 any SOLID WASTE.

6 **OBJECTIONS TO REQUEST FOR PRODUCTION D):**

7 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
8 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
9 admissible evidence. Thelen also objects to the phrase "SOLID WASTE" on the grounds that it is
10 vague and ambiguous. Thelen further objects to this Request to the extent that it seeks documents
11 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
12 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.
13 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
14 client privilege, attorney work product doctrine, and any other applicable privilege.

15 **REQUEST FOR PRODUCTION E):**

16 ALL DOCUMENTS that REFER OR RELATE to the transfer to MCKESSON SITE of
17 any CHLORINATED SOLVENTS.

18 **OBJECTIONS TO REQUEST FOR PRODUCTION E):**

19 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
20 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
21 admissible evidence. Thelen also objects to the phrase "CHLORINATED SOLVENTS" on the
22 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
23 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
24 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
25 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
26 by the attorney-client privilege, attorney work product doctrine, and any other applicable
27 privilege.

28 ///

1 **REQUEST FOR PRODUCTION F):**

2 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
3 any HAZARDOUS SUBSTANCE.

4 **OBJECTIONS TO REQUEST FOR PRODUCTION F):**

5 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
6 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
7 admissible evidence. Thelen also objects to the phrase "HAZARDOUS SUBSTANCE" on the
8 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
9 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
10 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
11 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
12 by the attorney-client privilege, attorney work product doctrine, and any other applicable
13 privilege.

14 **REQUEST FOR PRODUCTION G):**

15 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
16 any HAZARDOUS WASTE.

17 **OBJECTIONS TO REQUEST FOR PRODUCTION G):**

18 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
19 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
20 admissible evidence. Thelen also objects to the phrase "HAZARDOUS WASTE" on the grounds
21 that it is vague and ambiguous. Thelen further objects to this Request to the extent that it seeks
22 documents containing McKesson's trade secrets and proprietary information. In addition, Thelen
23 objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the
24 litigation. Thelen also objects to this Request to the extent that it seeks documents protected by
25 the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

26 ///

27 ///

28 ///

1 **REQUEST FOR PRODUCTION H):**

2 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
3 any SOLID WASTE.

4 **OBJECTIONS TO REQUEST FOR PRODUCTION H):**

5 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
6 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
7 admissible evidence. Thelen also objects to the phrase "SOLID WASTE" on the grounds that it is
8 vague and ambiguous. Thelen further objects to this Request to the extent that it seeks documents
9 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
10 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.
11 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
12 client privilege, attorney work product doctrine, and any other applicable privilege.

13 **REQUEST FOR PRODUCTION I):**

14 ALL DOCUMENTS that REFER OR RELATE to the transfer from MCKESSON SITE of
15 any CHLORINATED SOLVENTS.

16 **OBJECTIONS TO REQUEST FOR PRODUCTION I):**

17 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
18 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
19 admissible evidence. Thelen also objects to the phrase "CHLORINATED SOLVENTS" on the
20 grounds that it is vague and ambiguous. Thelen further objects to this Request to the extent that it
21 seeks documents containing McKesson's trade secrets and proprietary information. In addition,
22 Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to
23 the litigation. Thelen also objects to this Request to the extent that it seeks documents protected
24 by the attorney-client privilege, attorney work product doctrine, and any other applicable
25 privilege.

26 ///

27 ///

28 ///

1 **REQUEST FOR PRODUCTION J):**

2 ALL DOCUMENTS that REFER TO RELATE to the storage, retention, destruction, or
3 transfer of DOCUMENTS of MCKESSON CHEMICAL between 1986 and 2005.

4 **OBJECTIONS TO REQUEST FOR PRODUCTION J):**

5 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
6 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
7 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents
8 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
9 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.

10 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
11 client privilege, attorney work product doctrine, and any other applicable privilege.

12 **REQUEST FOR PRODUCTION K):**

13 ALL DOCUMENTS that REFER TO RELATE to any discussion, convention, or
14 CORRESPONDENCE with any PERSON regarding the MCKESSON SITE or the above-entitled
15 action.

16 **OBJECTIONS TO REQUEST FOR PRODUCTION K):**

17 Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome,
18 and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of
19 admissible evidence. Thelen further objects to this Request to the extent that it seeks documents
20 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
21 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.

22 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
23 client privilege, attorney work product doctrine, and any other applicable privilege.

24 **REQUEST FOR PRODUCTION L):**

25 ALL DOCUMENTS that REFER TO RELATE to any discussion, conversation, or
26 CORRESPONDENCE with UNIVAR regarding the MCKESSON SITE or the above-entitled
27 action.

28 ///

OBJECTIONS TO REQUEST FOR PRODUCTION L):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

REQUEST FOR PRODUCTION M):

ALL DOCUMENTS that REFER TO RELATE to any discussion, conversation, or CORRESPONDENCE with UNIVAR regarding the transmittal of ALL DOCUMENTS that relate to MCKESSON CHEMICAL.

OBJECTIONS TO REQUEST FOR PRODUCTION M):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen further objects to this Request to the extent that it seeks documents containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation. Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-client privilege, attorney work product doctrine, and any other applicable privilege.

REQUEST FOR PRODUCTION N):

ALL DOCUMENTS that REFER TO RELATE to any discussion, conversation, or CORRESPONDENCE with UNIVAR regarding the transmittal of ALL DOCUMENTS relate to the MCKESSON SITE.

OBJECTIONS TO REQUEST FOR PRODUCTION N):

Thelen objects to this Request on the grounds that it is overbroad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thelen further objects to this Request to the extent that it seeks documents

1 containing McKesson's trade secrets and proprietary information. In addition, Thelen objects to
2 this Request on the grounds that it seeks to invade the privacy of third-parties to the litigation.
3 Thelen also objects to this Request to the extent that it seeks documents protected by the attorney-
4 client privilege, attorney work product doctrine, and any other applicable privilege.

5 Dated: May 29 2007

THELEN REID BROWN RAYSMAN & STEINER LLP

6
7 By: 

Jennifer A. Kuenster

Ross M. Petty

Attorneys for Non-Party

THELEN REID BROWN RAYSMAN &
STEINER LLP

EXHIBIT 5

CAUFIELD
& JAMES^{LLP}
ATTORNEYS AT LAW

Writer's Direct:
(619) 325-0441 (phone)
(619) 325-0231 (fax)
jeff@caufieldjames.com

June 20, 2007

Via Email and Facsimile (415) 371-1211

Nevin C. Brownfield
nbrownfield@thelen.com
Thelen Reid Brown Raysman & Steiner, LLP
101 Second Street, Suite 1800
San Francisco, CA 94105

Re: Angeles Chemical Co., v. McKesson Corp. et al.,

Dear Mr. Brownfield:

We are in receipt of Thelen Reid's objections to the subpoena served by the Plaintiffs, in the above referenced litigation, on your San Francisco office, located at the address above, on June 4, 2007.

However, you have not responded to nor produced or permitted inspection of any of the documents requested in the additional subpoenas served by Plaintiffs.

- On May 17, 2007, Plaintiffs served on the Custodian of Records of Thelen Reid at your office located at 225 West Santa Clara Street, San Jose, CA 95113, Lupe Barron, at or around 4:45 p.m. See attachment "1."
- On May 1, 2007, Plaintiffs served on the Custodian of Records of Thelen Reid at your office located at 2225 E. Bayshore Road, Palo Alto, CA 94303, Marion Dick, at or around 2:50 p.m. See attachment "2" (hereinafter "the Subpoenas").

You are required to respond to these subpoenas. Federal Rules of Civil Procedure Rule 45(d) requires duty to respond to a subpoena. Specifically, Rule 45(d)(1) holds:

"A person responding to a subpoena to produce document shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand."

Rule 45(e) further holds:

"Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued."

While Thelen Reid is entitled to object to the subpoena under FRCP Rule 45(c)(2)(B) It has now been 27 days since the service of the Subpoenas and we have not received any response from your offices. As such, because you have failed to serve timely objections or produce any documents to the Subpoenas, you have waived all grounds for objection, *including privilege*. In re DG Acquisition Corp., 151 F.3d, 75,

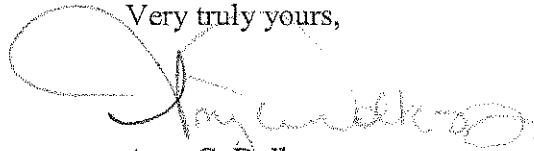
Re: Plaintiffs' Subpoenas to Thelen Reid
June 20, 2007
Page 2 of 2

81 (2nd Cir. 1998). Failure to comply with a subpoena without adequate excuse is a contempt of court. FRCP Rule 45(e), see Daval Steel Prods. V. M/V Fakredine, 951 F.2d 1357, 1364 (2d. Cir. 1991). If you do not produce all the documents within your custody and control as described in the Subpoenas, Plaintiffs will be forced to file a motion to compel.

However, in lieu of the motion discussed above, Angeles proposes that Thelen Reid voluntarily produce all documents identified in the aforementioned subpoenas without the need of court intervention. As such, in a good faith effort to meet and confer, and resolve this outside of the court, we are available Friday, June 22, 2007 for a telephone conference to discuss these issues and any other issue not previously raised, in accordance with Northern District Local Rule 37-1. Please let our office know if you are interested in participating in such a teleconference.

I look forward to hearing from you.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Amy C. Dolkas", written over a light blue horizontal line.

Amy C. Dolkas
Caufield James, LLP

Enclosures
cc: see attached service list

ATT: 1

Case 0:07-cv-00129-MMC

(619) 325-0441

Caufield & James LLP
2851 Camino Del Rio South, #250
San Diego, CA 92108

Ref. No. or File No.

TORNEY FOR (Name): **Plaintiff**

Court name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT
450 GOLDEN GATE #1111
SAN FRANCISCO, CA 94102

PLAINTIFF:

Angeles Chemical Company, Inc., a California corporation

DEFENDANT:

McKesson Corporation, Inc., a California corporation, etc., et al.

PROOF OF SERVICE

DATE:

06/11/2007

TIME:

09:30 am

DEPT/DIV:

CASE NUMBER:

01 10532 TJH (Ex)

UNITED STATES DISTRICT COURT DECLARATION OF SERVICE

I, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY THAT I WAS ON THE DATE HEREIN REFERRED TO OVER THE AGE OF 18 YEARS AND NOT A PARTY TO THE WITHIN ENTITLED ACTION. I SERVED THE:

Subpoena in a Civil Case; Attachment "A"; Notice of Subpoena Requesting Production of Documents

ON: Custodian of Records Thelen Reid Brown Raysman Steiner LLP

AT 225 West Santa Clara Street
San Jose, CA 95113

IN THE ABOVE MENTIONED ACTION BY DELIVERING TO AND LEAVING WITH:

Lupe Barron - Authorized to Accept

ON: 05/17/2007

AT: 04:35 pm

Manner of service in compliance with Federal Code of Civil Procedure.

Fee for Service: 77.50

County: Santa Clara

Registration No.: 617

E.S.Q. Services, Inc.

4015 Park Blvd, #218

San Diego, CA 92103

(619) 296-0120

I declare under penalty of perjury under the laws of the State of California that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on June 13, 2007.

Signature: _____

Mike Weeker

PROOF OF SERVICE

ATT: 2

TORNEY OR PARTY WITH ADDRESS
Caufield & James LLP
 2851 Camino Del Rio South, #250
 San Diego, CA 92108

(619) 325-0441

Ref. No. or File No.

TORNEY FOR (Name): **Plaintiff**

Set name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT
 450 GOLDEN GATE #1111
 SAN FRANCISCO, CA 94102

PLAINTIFF:

Angeles Chemical Company, Inc., a California corporation

DEFENDANT:

McKesson Corporation, Inc., a California corporation, etc., et al.

PROOF OF SERVICE	DATE:	TIME:	DEPT/DIV:	CASE NUMBER:
	06/11/2007	09:30 am		01 10532 TJH (Ex)

UNITED STATES DISTRICT COURT DECLARATION OF SERVICE

I, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY THAT I WAS ON THE DATE HEREIN REFERRED TO OVER THE AGE OF 18 YEARS AND NOT A PARTY TO THE WITHIN ENTITLED ACTION. I SERVED THE:

Subpoena in a Civil Case; Attachment "A"; Notice of Subpoena Requesting Production of Documents

ON: Custodian of Records Thelen Reid Brown Raysman Steiner LLP

AT 2226 E. Bayshore Road
 Palo Alto, CA 94303

IN THE ABOVE MENTIONED ACTION BY DELIVERING TO AND LEAVING WITH:

Marion Dick - Authorized to Accept

ON: 05/17/2007

AT: 02:50 pm

Manner of service in compliance with Federal Code of Civil Procedure.

Fee for Service: 77.50

County: **Santa Clara**
 Registration No.: **617**
E.S.Q. Services, Inc.
 4015 Park Blvd, #218
 San Diego, CA 92103
 (619) 296-0120

I declare under penalty of perjury under the laws of the State of California that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on **June 13, 2007**.

Signature: _____

Mike Weeker

PROOF OF SERVICE

THELEN REID BROWN
RAYSMAN & STEINER LLP
ATTORNEYS AT LAW

NEW YORK • SAN FRANCISCO • WASHINGTON, DC • LOS ANGELES
SILICON VALLEY • HARTFORD • NORTHERN NEW JERSEY • SHANGHAI

Nevin C. Brownfield
415.369.7784 Direct Dial
415.369.8617 Direct Fax
nbrownfield@thelen.com

June 22, 2007

VIA EMAIL & U.S. MAIL

Amy C. Dolkas
Caufield James LLP
2851 Camino Del Rio South, Suite 250
San Diego, California 92108

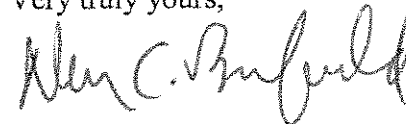
Re: *Angeles Chemical Company, Inc., et al. v. McKesson Corporation, et al.*
USDC Case No.: 01-10532 TJH (Ex)

Dear Ms. Dolkas:

Responding to your June 20, 2007 letter, you are mistaken that Thelen Reid Brown Raysman & Steiner ("Thelen") failed to respond to any of the subpoenas served by Angeles Chemical Company, Inc. or waived any objections. Thelen timely served objections to each of the subpoenas served on Thelen's San Francisco, Palo Alto, and San Jose offices. Enclosed for your convenience are additional copies of the objections and proofs of service.

Although we could not participate in a conference call today on such short notice, we are available to discuss the subpoenas and objections on Monday, June 25, 2007 after 2:00 p.m. Please let us know if that will work with your schedule.

Very truly yours,



Nevin C. Brownfield

Enclosures

NCB:mp
SF #1292779 v1

Matt McMillan

From: Joe Rossettie
Sent: Thursday, June 28, 2007 1:32 PM
To: Matt McMillan
Subject: FW: Angeles v. McKesson

From: Joe Rossettie
Sent: Friday, June 22, 2007 5:10 PM
To: 'nbrownfield@thelen.com'
Cc: Amber Hinojosa; Amy Dolkas; Jeff Caufield
Subject: Angeles v. McKesson

Mr. Brownfield—

I am responding to your June 22 letter. We would like to participate in a conference call on Monday June, 25. Please let me know what time works best for you, as well as the best phone number in which to reach you. We look forward to finding a reasonable solution in response to our subpoenas seeking McKesson Chemical documents. If you have any questions beforehand, please feel free to contact me.

Thank you.

Joseph Rossettie, Esq.
Caufield & James, LLP
2851 Camino Del Rio South, Suite 250
San Diego, CA 92108
Office 619-325-0441
Fax 619-325-0231

This email communication may contain CONFIDENTIAL INFORMATION, WHICH ALSO MAY BE LEGALLY PRIVILEGED, and is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any unauthorized review, use, dissemination, distribution, downloading, or copying of this communication is strictly prohibited. If you are not the intended recipient and have received this communication in error, please immediately notify us by reply email, delete the communication and destroy copies.

6/28/2007

Matt McMillan

From: Joe Rossettie
Sent: Thursday, June 28, 2007 1:32 PM
To: Matt McMillan
Subject: FW: Teleconference 6/25/2007

From: Joe Rossettie
Sent: Monday, June 25, 2007 5:33 PM
To: 'Brownfield, Nevin'; Petty, Ross
Cc: Amber Hinojosa; Jeff Caufield
Subject: Teleconference 6/25/2007

Ross/Nevin-

Thank you for participating in the teleconference today.

The following is meant to memorialize our teleconference today on June 25, 2007. The parties scheduled a conference, pursuant to LR 37-1a, regarding certain set of subpoenas sent to Thelen & Reid. Jeff Caufield, Joe Rossettie, Nevin Brownfield, and Ross Petty all participated in the call. At the conclusion of the call, the parties came to the mutual understanding as to the following:

1. Angeles seeks original McKesson Chemical operational records and any correspondence, logs, indexes showing what McKesson Chemical operational records were received by Thelen & Reid and/or any correspondence, logs, indexes showing where Thelen & Reid sent the documents.
2. Thelen & Reid currently represents McKesson and Univar on an unrelated matter involving the allegation that McKesson and Univar at one time sold asbestos.
3. Angeles does not seek the boxes that Thelen and Reid sent to back to Univar as part of the Kent, Washington review in early 2006.
4. Angeles would like Thelen & Reid to confirm, either by declaration or by producing correspondence, indexes, or logs that Thelen & Reid no longer possesses any McKesson Chemical operational records.
5. To the extent McKesson Chemical operational records at one time existed at Thelen & Reid but were sent to additional parties (not including the boxes sent to Univar in or around the early 2006), Angeles requested that the documents and/or number of boxes, along with the recipient be identified.
6. Angeles does not seek any privileged information including any in-house memorandum or legal analysis performed by Thelen & Reid. However, Angeles does seek correspondence, logs, and/or indexes evidencing the fact of what McKesson Chemical records were received and where those records were sent.
7. Thelen & Reid was unable to confirm that the boxes transmitted back to Univar in early 2006 represented the entire universe of McKesson Chemical records received by Thelen & Reid.
8. Thelen & Reid agreed to determine if the transmittal was the entire universe. However, the time needed to confirm this fact could not be determined.

6/28/2007

9. Angeles explained that under the current CMO deadlines, Angeles would need to file a motion to compel to preserve Angeles due diligence in seeking these records by July 2, 2007. However, Angeles would extend the time for Thelen and Reid to oppose the motion to give extra time to confirm whether the boxes sent back to Univar in early 2006 represented the entire universe of McKesson Chemical records received by Thelen & Reid.
10. Angeles agreed to pull any motion to compel if the boxes sent back to Univar in early 2006 represented the entire universe of McKesson Chemical records received by Thelen & Reid in accordance with item #4 or to the extent Thelen & Reid has any documents as discussed in item #1 in their possession, custody, and control agrees to produce such documents.
11. If the CMO deadlines are extended before Friday June 29, 2007 or if Thelen & Reid does confirm, as requested in item #4, that the boxes sent back to Univar in early 2006 represented the entire universe of McKesson Chemical records received by Thelen & Reid before Friday June 29, 2007, Angeles agrees not to file a motion to compel.

If you have any questions, please feel free to contact me.

Very Truly Yours,

Joseph Rossettie, Esq.

Caufield & James, LLP
2851 Camino Del Rio South, Suite 250
San Diego, CA 92108
Office 619-325-0441
Fax 619-325-0231

This email communication may contain CONFIDENTIAL INFORMATION, WHICH ALSO MAY BE LEGALLY PRIVILEGED, and is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any unauthorized review, use, dissemination, distribution, downloading, or copying of this communication is strictly prohibited. If you are not the intended recipient and have received this communication in error, please immediately notify us by reply email, delete the communication and destroy copies.

EXHIBIT 6

McKesson Corp. Law Department
One Post Street, San Francisco CA 94104 Tel 415 983 8319

Ivan D. Meyerrose Associate General Counsel

McKesson

September 9, 1986

HAND DELIVERED

CONFIDENTIAL

CONFIDENTIAL

Nicholas C. Unkovic, Esq.
Graham & James
One Maritime Plaza
Third Floor
San Francisco, CA 9411

Re: Further Due Diligence Response

Dear Mr. Unkovic:

In connection with certain inquiries contained in Mr. Thompson's letter of September 2, 1986, and various miscellaneous requests of Mr. Hooper, we enclose (or have today forwarded under separate cover) the following documents:

1. Permits. We have had delivered to your offices this morning three (3) boxes containing permits for the MCC locations. The boxes are divided by location as follows: (i) Albuquerque to Louisville; (ii) Los Angeles to Riverside; and (iii) San Antonio to Woodbridge. I hope the contents of the boxes are sufficient to answer the questions contained in Item I (pages 1-3) of Mr. Thompson's September 2. letter. In addition, I believe we have previously sent to you information concerning the Dallas landlord matter to which Mr. Thompson referred. Let me know if you have any further questions on that matter.

2. Underground Storage Tanks.

(a) My records indicate that material sent to you earlier reflected risk ratings for tanks at Dallas/Fort Worth and Harlingen at 55 and 69, respectively. I will inquire as to ratings, if any, for any tanks which may have been located at either Buffalo or Charlotte.

MCK0065260

Nicholas C. Unkovic, Esq.
September 9, 1986
Page Two

(b) Our August 30, 1986 response provided information with respect to alleged leaks at the Corpus Christi, Grand Junction, Houston, Jacksonville, and Mobile locations. I assume those, and the other locations specified in Mr. Thompson's letter, were the subject of questions during Mr. Hooper's interviews of the regional personnel. I have no knowledge of any contamination, analyses or reports to government agencies.

3. Contamination Issues.

(a) Spartanburg - (see below).

(b) Pittsburg - except as appears below or is specified in the following sentence, information has already been provided with respect to this matter to the extent it is available. One privileged, brief memorandum was not produced; however, the facts contained in the memorandum were summarized and produced in abstract form. I assume this matter was also discussed in Mr. Hooper's interviews. We are not aware of any regulatory correspondence relating to this matter.

4. Above-Ground Customer Site Tanks. See below.

5. Site Age and Prior Ownership. We refer you to the 1985 environmental questionnaires for details as to when McKesson first occupied the eight sites listed in Mr. Thompson's letter. Details as to prior use may also be contained in those questionnaires. In addition, I have asked our Corporate Real Estate Department to see what other information, if any, may be readily available. We will attempt to provide some further response on this issue.

6. We enclose a copy of an October 8, 1985 letter from the Connecticut Department of Environmental Protection to Don Black relating to the closure of the storage facility at the North Haven location.

7. I am advised that the Vernal, Utah site is not an active site.

8. Miscellaneous Requests.

(a) Copies of pertinent correspondence (including a September 5, 1986 memo from Hickman to Meyerson) and contracts relating to the Ray-O-Vac matter. In that regard, we learned yesterday that Ray-O-Vac now plans to remove all of the McKesson underground tanks next week.

MCK0065261

Nicholas C. Unkovic, Esq.
September 9, 1986
Page Three

(b) Copies of government inspection reports for the Jacksonville, Wichita and St. Louis Service Centers.

(c) Copies of letters to McKesson dated August 27 and 29, from Kin Properties, Inc. (the Sandelman entity).

(d) Eastern Region: (i) copy of December 18, 1985 3-page report from Air Quality Services, Inc. to Robert Douglas at McKesson relating to analysis of a sample taken from the Pittsburg facility; (ii) copies of the following relating to the Spartanburg matter: (x) January and August, 1986 draft administrative consent orders; (y) May 29, 1986 letter, together with June/July analyses from Enwright Associates/Laboratories, and June 24 letter from Geraghty & Miller, Inc.; (iii) August 20, 1986 letter from Black to Rhodes; and (iv) February 1986 inventory listing of McKesson owned above-ground tanks located at customer facilities.

(e) Central Region: 39-page package prepared by regional personnel for use during last week's interview with Mr. Hooper. This material addresses the following items contained in Mr. Hooper's list of questions: 2, 3, 4, 5, 6, 7, 8, 9 and 11. It also contains a list of above-ground tanks at customer facilities (Item 4A, dated August 27, 1986), and facility layouts for each location.

(f) Western Region: 42-page package prepared by regional personnel for use during last week's interview with Mr. Hooper. This material addresses the following items contained in Mr. Hooper's list of questions: disposal activities - pits; major spills - leaks; off-site disposal; RCRA status; repack activities; tank farms; other major permits; underground storage tanks; evidence of contamination; previous uses of the site; water wells; visible pollution impacts; planned environmental upgrades; and future improvements to be evaluated. It also contains information (previously supplied, I believe) relating to the May, 1986 spill at Albuquerque, and a list of above ground tanks at customer facilities.

(g) Copy of the 1981 contract between Rand Information Systems, Inc. and Foremost-McKesson Chemical Group. We direct your attention to pages 15 (paragraph L) and 16 (paragraph N).

MCK0065262

Nicholas C. Unkovic, Esq.
September 9, 1986
Page Four

We consider the enclosed (or previously forwarded) documents to contain sensitive, confidential information that is subject to the confidentiality agreement signed by Pakhoed. You are asked not to make or permit the making of any copies of these documents, and otherwise to handle them in complete accordance with the confidentiality agreement dated February 27, 1986, between McKesson and Pakhoed by which you are bound as an agent or representative of Pakhoed. Please indicate your agreement to the foregoing, as well as your receipt of the enclosed and forwarded material, by signing and returning the enclosed copy of this letter.

Finally, we still have yet to receive an executed copy of our lengthy August 30, 1986 letter to Mr. Hooper. I would appreciate it if you would again ask him to sign and immediately return that copy to us.

Thank you very much for your cooperation. Do not hesitate to contact me if you have any further questions concerning any of the enclosed matters.

Very truly yours,



Ivan D. Meyerson

IDM/smc

Encl.

cc: Eric Lindquist (no enclosure)

Agreed to and Accepted:

GRAHAM & JAMES

By 

MCK0065263